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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Dunbar  
Serial No. : 10/761,036 Art Unit: 3733  
Filed : January 20, 2004 Examiner: Hoffman, Mary C  
For : Spinal Rod Approximator

I hereby certify that this correspondence is being deposited with the  
United States Postal Service as first class mail in an envelope addressed  
to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

January 17, 2006  
Date of Deposit

Amy Schick  
Signature

Amy Schick  
Person signing

January 17, 2006  
Date of Signature

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

In response to the election requirement set forth in the Office Action of December 22, 2005, Applicants elect Group I, claims 1-5, and 7-20 for prosecution on the merits.

In addition, please provide any additional extensions of time which may be necessary and charge any fees which may be due to Deposit Account No. 10-0750/DEP5033USNP/DAL, but do not include any payment of issue fees.

Should there be any remaining or further questions, the Examiner is requested to please contact the undersigned directly.

Respectfully submitted,

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